

**Security Council**

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Ninth report of the Secretary-General on Security Council resolution 1701 (2006)**I. Introduction**

1. This is the ninth report of the Secretary-General on the implementation of Security Council resolution 1701 (2006). It provides a comprehensive assessment of the implementation of the resolution since the last report of the Secretary-General was issued on 18 November 2008 (S/2008/715).
2. During the first part of the reporting period, the military and security situation in the area of operations of the United Nations Interim Force in Lebanon (UNIFIL) remained stable. In late December 2008, tension in the area rose with the outbreak of the Gaza crisis. During that period, rockets were fired on two occasions from southern Lebanon towards Israel, and Israel responded with artillery fire. A possible third rocket attack was prevented by the Lebanese Armed Forces and UNIFIL. During the latter part of the reporting period, tension subsided; however, recent days saw a third rocket attack incident. UNIFIL maintained close liaison and coordination with the parties through the tripartite mechanism and bilateral channels.
3. In spite of these serious incidents, I am pleased to report that all parties continue to express their support for and commitment to the implementation of resolution 1701 (2006). This is illustrated by the measures taken by the parties to avoid further escalation and defuse a potentially destabilizing situation. These incidents, however, also highlight the precarious nature of the current cessation of hostilities and the necessity for both parties to take further steps to address a number of unresolved issues, described in detail in this report. These issues continue to hinder an agreement on a permanent ceasefire between Lebanon and Israel. Their resolution is required in order to move towards a permanent solution between the two countries.
4. The implementation of the agreement reached by Lebanese leaders at Doha in May 2008 has continued to ensure a period of relative calm in Lebanon. No major security incidents, other than the aforementioned rocket attacks, took place during the reporting period. In accordance with constitutional provisions, on 4 January 2009, the Minister of the Interior announced that the next parliamentary elections will be held on Sunday, 7 June. Continued progress in the bilateral relationship between Lebanon and the Syrian Arab Republic saw the Lebanese Government announce the name of its ambassador to the Syrian Arab Republic on 27 January 2009. For its part, the Syrian Arab Republic opened an embassy in Beirut in late



December 2008. However, it has yet to appoint an ambassador to Lebanon. During the reporting period, the political situation in Israel was marked by the electoral campaign for the parliamentary elections held on 10 February.

II. Implementation of Security Council resolution 1701 (2006)

A. Situation in the UNIFIL area of operations

5. The parties generally maintained respect for the Blue Line, with the notable exceptions of the rocket firings from southern Lebanon towards Israel and the retaliatory artillery fire by Israel. Daily intrusions into Lebanese airspace by Israeli aircraft and unmanned aerial vehicles continued at a high level throughout the reporting period in violation of Lebanese sovereignty and resolution 1701 (2006), reaching their peak during the Gaza crisis. UNIFIL protested all violations. The Government of Lebanon continued to protest these overflights, which the Government of Israel maintained were necessary security measures, citing alleged lack of enforcement of the arms embargo.

6. On 25 December 2008, the Lebanese Armed Forces discovered eight rockets on agricultural land in Wadi Hamul, two kilometres north-east of Naqoura (Sector West), after being alerted to their presence by a Lebanese civilian. The Lebanese Armed Forces, assisted by UNIFIL, defused and dismantled the rockets, which were armed and ready to be launched in the direction of Israel. The Lebanese Armed Forces and UNIFIL jointly conducted an investigation into the incident. Subsequently, UNIFIL and the Lebanese Armed Forces searched potential rocket launching areas and increased their overall presence in the area of operations, with a particular focus on sensitive areas along the Blue Line, from which, according to UNIFIL assessments, rockets could be launched.

7. On 8 January, two rockets were fired across the Blue Line from an area 100 metres from the village of Tayr Harfa (Sector West). One of the rockets struck inside a home for the elderly in Nahariyya, Israel, lightly injuring one resident, while the second landed in a forest near the Israeli village of Matsuva. UNIFIL and the Lebanese Armed Forces immediately dispatched troops to the site of the rocket launch, but no suspects were found in its vicinity. Eleven minutes after the rockets were launched, the Israel Defense Forces returned fire with four artillery shells aimed at the launch site, without prior warning to UNIFIL. The shells did not cause any injuries or damage. Immediately after the rocket launch, all available UNIFIL manoeuvre units were operational on a continuous basis. The Lebanese Armed Forces reinforced their troops by temporarily deploying two specialized companies in Sector West, which were critical in carrying out combined activities with UNIFIL in sensitive areas and immediate response tasks. Intensified reconnaissance activities carried out by UNIFIL and the Lebanese Armed Forces led to the discovery on 9 January of a cache of 34 rockets and boxes of ammunition inside two disused bunkers in the eastern sector of the UNIFIL area of operations, between Kafr Shuba and Kafr Hamman.

8. On 14 January, rockets were fired from Sector East of the UNIFIL area of operations towards Israel. UNIFIL contacted the Israel Defense Forces, which initially informed UNIFIL that no rocket impacts had been recorded in Israel. However, about 30 minutes after the rockets were launched, the Israel Defense

Forces fired four artillery shells at the launch site, and some 20 minutes later, fired another four artillery shells at an area south-east of Al Khiyam. In both instances, the Israel Defense Forces did not warn UNIFIL of their intention to return fire. Subsequently, the Israel Defense Forces reverted to UNIFIL, claiming that three rockets had struck inside Israel. To date, however, the Israel Defense Forces have not officially confirmed to UNIFIL the rocket impacts in Israel. No injuries or damage were reported by either side. Joint UNIFIL-Lebanese Armed Forces search teams discovered a rocket launching site in the general area of Hebbariye, approximately 140 metres from a school compound, from where two rockets had been launched. Close to the site, they discovered and disarmed three more rockets that were equipped with timers and ready to be fired in the direction of Israel, as well as detonators that were set up to destroy the launch site after the rockets had been fired. UNIFIL and the Lebanese Armed Forces also discovered fragments of two rockets that had impacted in the area south-east of Al Khiyam, on Lebanese territory; the second round of Israeli artillery fire was aimed at this impact site. On the basis of available evidence and information provided to UNIFIL by the parties to date, the investigation indicated that two rockets were fired in the direction of Israel, but landed inside Lebanese territory. In all likelihood, there were no other rockets fired on this occasion and no impacts, across the Blue Line, inside Israel.

9. Following the 14 January rocket launch, UNIFIL further enhanced its operational capability in the area of operations by employing enabling units to carry out patrolling activities and by limiting rotations of personnel. At the same time, the Lebanese Armed Forces temporarily deployed a third specialized company in Marjayoun. In the second half of January, the Lebanese Armed Forces Command deployed the 7th Brigade in the area between Babliye and Tyre, i.e. south and north of the Litani River, increasing the number of Lebanese Armed Forces troops in the area of operations to approximately 5,500. The focus of the Brigade's activities is on controlling the access roads into and out of the UNIFIL area of operations in Sector West. This deployment has allowed for the troops of the 6th and 11th Brigades to modify their deployment and improve their area coverage, as well as to increase the overall number of operational activities carried out by the Lebanese Armed Forces. At the end of January, the three Lebanese Armed Forces specialized companies were redeployed outside of the area of operations.

10. On 4 February, during a search operation of Wadi Hamul — the valley where the eight rockets were found on 25 December — a UNIFIL patrol discovered five rockets in their casings that were placed in a small stack on the ground and hidden among bushes, approximately five kilometres north-east of Naqoura. Lying close to the rockets, the patrol found a roll of electrical wire and some wooden sticks that could have been used as improvised ramps. In addition, some electric cables were placed in a bag on top of the rockets.

11. On 21 February, two rockets were fired from an area south of Tyre towards Israel. UNIFIL immediately contacted the Israel Defense Forces, who subsequently confirmed that one rocket had struck in Israel, in the village of Meilia, lightly injuring three people and causing some damage. In this case, the Israel Defense Forces informed UNIFIL that they would fire artillery towards the launch site, and immediately fired eight shells towards two locations. A joint UNIFIL-Lebanese Armed Forces investigation into the incident discovered the rocket launch site in a banana plantation, approximately seven kilometres south of Tyre, as well as the

impact site of the second rocket near the village of Alma Ash Shaab, approximately five kilometres east of Naqoura.

12. Throughout this period, UNIFIL's Force Commander was in continuous contact with the Lebanese Armed Forces and the Israel Defense Forces, urging both parties to exercise the utmost restraint to prevent a potential escalation of an already tense situation. The parties reiterated their continued commitment to the cessation of hostilities agreement and resolution 1701 (2006) and senior representatives of the Lebanese Armed Forces and the Israel Defense Forces worked closely with the Force Commander to contain the situation and maintain the cessation of hostilities. To this end, the Force Commander also convened a tripartite meeting on 16 January.

13. The perpetrators of these attacks have not yet been identified and there have been no claims of responsibility. The relevant Lebanese authorities have launched investigations, with a view to identifying and apprehending the perpetrators.

14. Investigations into the two earlier rocket attacks against Israel of 17 June 2007 and 8 January 2008 have not yielded any new information during this reporting period. It is important that the Lebanese authorities continue their efforts to identify the perpetrators and bring them to justice.

15. The Israel Defense Forces continued to occupy part of the village of Ghajar and an adjacent area north of the Blue Line in violation of resolution 1701 (2006). As noted in my last report, the Government of Lebanon had informed the Force Commander of its readiness to accept the UNIFIL proposal to facilitate the withdrawal of the Israel Defense Forces from the area, on the condition that the Government of Israel agree to the proposal within three months and that a date for the eventual Israeli withdrawal be established. On 20 November, the Minister for Foreign Affairs of Israel, Tzipi Livni, conveyed to me in a phone call Israel's readiness to initiate discussions to clarify elements of the UNIFIL proposal. However, a date for the eventual Israeli withdrawal was not provided. Subsequently, I spoke with Prime Minister Ehud Olmert of Israel and Prime Minister Fouad Siniora of Lebanon, as well as other senior leaders of the two parties concerning the proposal and reiterated the urgent need to find an early solution to the matter. Israel has expressed its readiness to enter into discussions about the proposal that would also address the legal and humanitarian aspects related to the question of Israeli citizens living on foreign territory, and has designated the Ministry of Foreign Affairs as the lead interlocutor for such talks. My Special Coordinator for Lebanon and the UNIFIL Force Commander have engaged Israeli political and military authorities, respectively, to clarify the Israeli position on the proposal. On 8 February 2009, my Special Coordinator and the Force Commander met with a delegation headed by the designated representative of the Ministry for Foreign Affairs, along with a representative from the Israel Defense Forces, to discuss next steps. The meeting took place in a constructive atmosphere, with Israel expressing its readiness to enter into technical discussions based on the UNIFIL proposal.

16. In addition, several other incidents and violations of the Blue Line occurred during the reporting period. On 18 November, eight Israel Defense Forces soldiers violated the Blue Line by up to 70 metres in the vicinity of United Nations position 4-34 in Sector East. The violation appeared to be inadvertent and may have been due to the use by the Israel Defense Forces of a different geodetic system. On 19 December, the Israel Defense Forces apprehended two Lebanese civilians in the vicinity of Blida (Sector East) while they were working in their field. One of the

men sustained injuries after being bitten by an Israel Defense Forces dog during the arrest. The investigation found that the two Lebanese civilians inadvertently violated the Blue Line, which cuts through their field. On 21 December, during a demonstration in the general area of Shab'a near United Nations position 4-7C (Sector East), some demonstrators violated the Blue Line and placed flags on the Israeli technical fence. UNIFIL and the Lebanese Armed Forces immediately positioned their troops to prevent further violations. Subsequently, UNIFIL removed the flags and handed them to the Lebanese Armed Forces. On 3 February, Lebanese and Israeli civilians were involved in a drug smuggling incident across the Blue Line in the general area of Rumaysh. The Israel Defense Forces apprehended one Israeli civilian in possession of 20 kg of heroin, while UNIFIL discovered three Lebanese civilians in possession of 55 kg of heroin hiding in the same general area on the Lebanese side of the Blue Line, and handed them over to the Lebanese Armed Forces. There were also a number of minor ground violations by shepherds who crossed the Blue Line with their cattle. These incidents further underline the importance of accelerating the visible marking of the Blue Line.

17. There has been steady progress in the pilot project to visibly mark the Blue Line. The parties approved another extension, bringing the total stretch of the pilot project to 16 kilometres. A total of 30 points have been agreed: 9 have already been marked with Blue Line barrels, 7 markings are under construction, and 14 points will be measured by the parties. The parties also have agreed that contested points may, on a case-by-case basis, be unilaterally marked by UNIFIL. Such points will be marked by metal flags.

18. Prior to the 25 December discovery of rockets, UNIFIL and the Lebanese Armed Forces maintained their respective installations and daily operational activities at the levels detailed in my last report, including the additional patrols carried out by UNIFIL independently in response to the reduction of Lebanese Armed Forces personnel in September 2008, i.e. the deployment of three brigades rather than four. As reported previously, the two forces also continued operating six co-located checkpoints on the Litani River and two checkpoints in randomly selected locations in the area of operations, in addition to four coordinated foot patrols along the Blue Line. The two forces continued to conduct seven counter-rocket-launching operations during each 24-hour period, both day and night, during which troops patrol a selected area by vehicle and on foot and establish temporary observation posts and checkpoints to stop and check vehicles and persons moving in the area. While the tension decreased in the area of operations in the latter part of January, UNIFIL and the Lebanese Armed Forces maintained an increased operational tempo and a high level of common activities focusing on searches of specific areas that had been assessed as potential sites for launching rockets. The requirement to strengthen UNIFIL with additional manoeuvre units at company level was confirmed during the period when UNIFIL had to augment its troops in the field by employing enabling units. Efforts are under way to deploy the units soon.

19. Joint training exercises, aimed at enhancing the operational capacity of UNIFIL and the Lebanese Armed Forces, continued during the reporting period. Training activities between the UNIFIL Maritime Task Force and the Lebanese navy, including exercises extending over several days, continued apace. Material and technical support over the medium to long term remains essential to enable the

Lebanese navy to gradually assume responsibility in controlling its maritime coast and borders.

20. UNIFIL exercised full freedom of movement, in general, throughout its area of operations. The local population by and large supported the Force's activities, including during the period of heightened tension when it significantly increased its presence in most areas and intensified its activities. UNIFIL patrols were temporarily stopped by local civilians on a few occasions. The incidents were brief and resolved on the ground in cooperation with the Lebanese Armed Forces, with any misunderstandings clarified with local authorities. Also, in a small number of instances, civilians, mostly children and youths, threw stones at UNIFIL patrols. During a joint UNIFIL-Lebanese Armed Forces patrol on 16 January in the vicinity of Majdal Silim (Sector West), where an empty underground shelter was discovered, the local population, protesting the intrusion onto private property, scuffled with the patrols, threw stones and caused damage to two UNIFIL vehicles. A subsequent meeting between UNIFIL and local authorities was held in a positive atmosphere. The shelter was subsequently ploughed over and sealed with earth. On occasion, the operational activities of UNIFIL were closely monitored by unarmed civilians in various areas.

21. The attitude of the population towards UNIFIL remained generally positive. The Force's outreach components played a crucial role during the period of heightened tension following the two rocket attacks and the Israel Defense Forces retaliatory fire, engaging with the local population and thereby contributing to calming tensions. Outreach activities were also critical to ensuring public understanding and support for the intensified military and security operations of UNIFIL and the Lebanese Armed Forces. The provision of humanitarian support and building greater confidence among the local population in UNIFIL and its mandate remained at the centre of the activities carried out by the civil affairs and civil-military cooperation components of UNIFIL. Those components continued to implement quick-impact projects funded by the UNIFIL budget, focusing on support for basic infrastructure and capacity-building, as well as other projects funded by troop-contributing countries.

22. Ensuring that the area between the Litani River and the Blue Line is free of any unauthorized armed personnel, assets or weapons, as stipulated by resolution 1701 (2006), is a long-term endeavour. The rocket attacks and the findings during the reporting period demonstrate that there are still weapons and hostile armed elements ready to use them within the area of operations. This makes it imperative on the Lebanese Armed Forces and UNIFIL to intensify their combined efforts to prevent possible smuggling of weapons across the Litani River, to discover and remove all weapons and related materiel that may still be present in the area and to make sure that there are no armed elements in the area. In the aftermath of the recent incidents, the two forces agreed to redouble their efforts in this regard.

23. The activities of the two forces since late December 2008 resulted in the discovery of eight abandoned armed-element facilities, one shelter and four caves. As with previous discoveries, the facilities showed no recent use and dated back to the 2006 war or before. The Lebanese Armed Forces destroyed the rockets that were found on 25 December, 9 January and 4 February. UNIFIL routinely checked former armed-element facilities in the area of operations, including bunkers and caves, but

has not found any indication that these have been reactivated or any evidence of new military infrastructure in its area of operations.

24. Concerning the rockets that were recently launched and discovered, on the basis of all available evidence, UNIFIL is not in a position to determine whether the rockets were already present in the area of operations between the Litani River and the Blue Line or were smuggled into the area prior to the attacks. UNIFIL and the Lebanese Armed Forces continue to improve monitoring and control along the Litani River and throughout the area of operations.

25. On a number of occasions, UNIFIL and the Lebanese Armed Forces encountered civilians armed with hunting rifles. On each occasion, the Lebanese Armed Forces acted in accordance with the ban on hunting and the carrying of weapons in the area of operations and arrested a number of hunters. UNIFIL immediately followed up on all alleged incidents of weapons fire in its area of operations.

26. The Government of Israel maintains that Hizbullah is continuing to build its military presence and capacity, largely north of the Litani River, but also in the UNIFIL area of operations, using, in particular, private houses in urban areas. The Israeli Government also alleged that Hizbullah held manoeuvres both north and south of the Litani River on 22 November 2008. UNIFIL did not observe any activity in its area of operations on 22 November 2008 that would substantiate that claim. Israeli authorities also point to the latest rocket attacks as evidence of the presence of armed elements and illegal weapons in the UNIFIL area of operations, which are being used for hostile activities against Israel. As I described in my previous reports, UNIFIL in collaboration with the Lebanese Armed Forces, immediately investigates any claims regarding the illegal presence of armed personnel or weapons within its area of operations if specific information is received. UNIFIL patrols throughout its area of operations, including in urban areas, and conducts surveillance and monitoring activities, particularly at entry points and suspicious areas, and remains determined to act with all necessary means within its mandate. However, according to its mandate, UNIFIL cannot search private houses and properties unless there is credible evidence of a violation of resolution 1701 (2006), including an imminent threat of hostile activity emanating from that specific location. The Lebanese Armed Forces Command has confirmed that it will investigate any claims and will act immediately on evidence of unauthorized armed personnel or weapons in the area.

27. The UNIFIL Maritime Task Force continued the maritime interdiction operation along the Lebanese coast, to prevent the entry of unauthorized arms and related materiel, as well as the training of the Lebanese navy. Since the start of its mission in October 2006, the Maritime Task Force has hailed and queried more than 21,980 ships in its area of operations. Since my last report, an additional 55 inspections were carried out on vessels that were identified as suspicious, increasing the total number to 240 since the inception of the Maritime Task Force. The Lebanese navy and Lebanese Customs inspected the vessels to verify that there were no unauthorized arms or related materiel on board and cleared all of them. In January, the Lebanese navy took over responsibility for the hailing of vessels approaching Beirut harbour, while the Maritime Task Force assumed a monitoring role in that sector of the area of maritime operations.

28. Israel Defense Forces patrol boats south of the line of buoys continued to regularly drop explosive charges or fire warning shots at Lebanese fishing boats in the vicinity of the line. Over the past two months, UNIFIL also reported the increased use of spotlighting into Lebanese territorial waters. While UNIFIL has no mandate to monitor the line of buoys, which was installed by Israel, such incidents have the potential to raise tension between the parties.

B. Security and liaison arrangements

29. The tripartite meetings, chaired by the Force Commander with senior representatives of the Lebanese Armed Forces and the Israel Defense Forces, continued to be an indispensable instrument to address key security and military operational issues, as well as an essential mechanism to build confidence between the parties and prevent escalation. The parties met within days of the rocket incidents of 8 and 14 January, while investigations were still ongoing, which underscored their commitment to the forum and its importance in addressing key issues related to the implementation of resolution 1701 (2006).

30. For the first time since the establishment of UNIFIL, the President of Lebanon, Michel Sleiman, visited UNIFIL headquarters on 27 December 2008. He was accompanied by the Minister of Defence, Elias Murr, the Commander of the Lebanese army, General Jean Qahwaji, and the Director of General Security, General Wafik Jezzini. The visit demonstrated the strong commitment of the Lebanese State to resolution 1701 (2006) and the importance of the partnership between UNIFIL and the Lebanese Armed Forces. The strategic dialogue between UNIFIL and the Lebanese Armed Forces senior command continued on a regular basis, focusing on further enhancing the conduct and coordination of military activities of the two forces in the implementation of resolution 1701 (2006). The last meeting took place on 15 January and focused on harmonizing procedures and coordination of combined UNIFIL and Lebanese Armed Forces activities, particularly in view of the recent intensified operations of both forces. The return of a fourth Lebanese Armed Forces brigade to southern Lebanon enabled the Lebanese Armed Forces to match the deployment of its forces to a large degree with those of the UNIFIL battalions, thereby facilitating the coordination and conduct of combined activities. Enhanced detailed procedures for combined activities are currently being finalized between the two forces.

31. Coordination and liaison with the Israel Defense Forces remained smooth and efficient. Measures to ensure increased liaison and coordination at sea and prevent misunderstandings in the international waters of the UNIFIL area of maritime operations have been taken. The Force Commander maintained close and productive relations with his Israel Defense Forces counterparts, as well as with other senior Israeli officials. UNIFIL maintains a liaison team with two officers at the Israel Defense Forces Northern Command headquarters in Zefat. As reported earlier, the Government of Israel agreed to the establishment of the UNIFIL office in Tel Aviv in February 2007. Since my last report, there has been no progress on the establishment of the office. The Israel Defense Forces verbally informed UNIFIL that it saw no need for the office since, in its view, UNIFIL, and especially the Force Commander, already had developed and were maintaining sufficient contacts at the strategic level with all the relevant Israeli interlocutors. UNIFIL will continue to seek the establishment of an office in Tel Aviv, as agreed to by the Government of

Israel, as it would enhance the current level of liaison and allow for a strategic-level dialogue with the Israel Defense Forces and other Israeli authorities on UNIFIL-related issues.

C. Disarming armed groups

32. As indicated in my previous reports, Hizbullah continues to maintain a substantial military capacity distinct from that of the Lebanese State, in direct contravention of resolutions 1559 (2004) and 1701 (2006). This military capacity continues to pose a serious challenge to the ability of the Lebanese State to exercise full sovereignty over its territory. As I have previously reported, I continue to believe that the disarmament of all armed groups should take place through a Lebanese-led political process, so that there will be no weapons or authority in Lebanon other than that of the Lebanese State.

33. Two additional sessions of the National Dialogue were chaired by the President during the reporting period, on 22 December 2008 and 26 January 2009. The last session resulted, *inter alia*, in an agreement to form a group of experts charged with summarizing commonalities of proposals on the national defence strategy made by participants, with the aim of integrating them in a single text that will be presented to the table of dialogue. The participants also agreed to pursue efforts to implement the agreements reached during the National Dialogue conference of 2006, which called for dismantling Palestinian weaponry outside refugee camps within six months. The next session of the National Dialogue is scheduled for 2 March.

34. During the period under review, there have been reports of significant reinforcements of the presence of the Popular Front for the Liberation of Palestine-General Command and Fatah el Intifada in the bases they occupy south of Beirut and along the border between Lebanon and the Syrian Arab Republic. The United Nations takes these reports seriously but does not have the means to independently verify this information.

35. The security situation within Palestinian refugee camps in Lebanon remains precarious. There remain fears that the contentious relations that exist between Palestinian groups, combined with conditions of hardship within the camps, may strengthen radical militant groups operating inside the camps. According to Lebanese Government reports, Hamas is seeking to strengthen and regroup its members in the refugee camps. While there continues to be concern at the frequency of security incidents inside the refugee camps, there is also increased cooperation on camp security between the Lebanese authorities and Palestinian factions.

D. Arms embargo

36. In resolution 1701 (2006) the Security Council called for the Government of Lebanon to secure its borders and other entry points so as to prevent the entry in Lebanon without its consent of arms or related materiel. The Council further decided that all States were to prevent the sale or supply of arms and related materiel to entities or individuals in Lebanon by their nationals or from their territories or using their flag vessels or aircraft.

37. Mindful of the recommendations made by the Lebanon Independent Border Assessment Team II on 26 August 2008, the Government adopted a decision on 20 December that (a) reaffirmed the commitment of Lebanon to control its land, sea and air borders; (b) extended the model of the Common Border Force used for the northern border to an additional segment of the eastern border; (c) created a steering committee on borders under the chairmanship of the Prime Minister and composed of the Ministers of Defence, Public Works, Foreign Affairs and Emigrants, Finance and the Interior tasked with making the necessary recommendations regarding border control; and (d) requested that international partners be kept informed of progress on this issue.
38. A border commission, under the leadership of the Lebanese Armed Forces and with participation from the Internal Security Forces, Customs and the General Security was tasked with developing an operational proposal for implementation of the Cabinet decision to extend the model of the Common Border Force. The border commission finalized a draft operational plan to be presented to the heads of the four security agencies and to the ministerial-level steering committee. The plan foresees the extension of the model of the Common Border Force to an additional 82 kilometres of the northern part of the eastern border. Once this plan is approved by the steering committee, it will be presented for comments to the main donors involved in border programmes. Provided funding for equipment, recruitment and training is available, the extension could take place in the second half of 2009. This may be followed in due course by a further extension along the eastern border.
39. In parallel, progress was made regarding the functioning of the Common Border Force which currently operates along 90 kilometres of land border in the north. Cooperation among the four security agencies involved in the Common Border Force has gradually improved. No weapons or armaments were reported to have been seized during the reporting period. The Force did have some success in preventing smuggling of commercial goods.
40. Military authorities in Lebanon informed my Special Coordinator that the deployment of Syrian troops along Lebanon's northern and eastern borders, which started in September 2008, continues. Syrian authorities reiterated to my Special Coordinator their view that this deployment was intended to prevent smuggling and sabotage, noting that the deployment is a direct outcome of the summit between the Presidents of the two countries held in August 2008.
41. There have been no confirmed incidents of arms smuggling during the reporting period. The Government of Israel continues to report significant breaches of the arms embargo across the Lebanese-Syrian border. Those allegations were reiterated to my Special Coordinator in meetings he held with senior Israeli officials on 9 February. Although the United Nations takes these allegations seriously, it is not in a position to verify this information independently. In meetings with my Special Coordinator in Damascus on 11 February, Syrian officials denied any involvement by Syria in potential breaches of the arms embargo.
42. As indicated in previous reports on the implementation of resolutions 1559 (2004) and 1701 (2006), the existence of military bases belonging to the Popular Front for the Liberation of Palestine-General Command and to Fatah el Intifada along the border between Lebanon and the Syrian Arab Republic continues to pose a serious challenge for the control of the common border. In this context, cooperation between Lebanon and the Syrian Arab Republic to better manage their common

border still needs to be further developed. I continue to call upon Lebanon and the Syrian Arab Republic to address this grave anomaly so as to ensure that Lebanon exerts full control over its territory, including all of its borders.

E. Landmines and cluster bombs

43. With effect from 1 January 2009, the United Nations Mine Action Coordination Centre-South Lebanon transferred primary responsibility for the coordination of humanitarian clearance operations to the Lebanese Armed Forces in the form of the Lebanese Mine Action Centre. This transfer has divided the joint structure of the South Lebanon Coordination Centre into its component parts, the Lebanese Armed Forces and the United Nations Mine Action Coordination Centre. The Lebanese Armed Forces component will continue its work as a part of the Lebanese Regional Mine Action Centre in Nabatieh, while the United Nations staff will work exclusively in support of UNIFIL clearance and explosive ordnance disposal assets and maintain liaison between the Regional Mine Action Centre and UNIFIL.

44. During the reporting period, three additional cluster bomb strike locations were identified, bringing the total locations recorded thus far to 1,061. The estimated contaminated area remains at 48.1 million square metres, as defined by the operational reassessment in the summer of 2008. To date, the United Nations Mine Action Coordination Centre and, as at 1 January, the Regional Mine Action Centre, have coordinated the clearance of 43 million square metres of the contaminated areas through the joint efforts of the Lebanese Armed Forces, UNIFIL and international clearance organizations. Since the end of the 2006 conflict, 154,733 cluster munitions have been located and destroyed.

45. The enhanced operational presence of UNIFIL since late December 2008 led to a significant increase in the quantity of unexploded ordnance discovered. In total, UNIFIL discovered and cleared 122 mortars, artillery shells and mines, among other objects, throughout the area of operations.

46. Since the last report, incidents involving unexploded ordnance, including cluster munitions, have injured four civilians, bringing the total since the end of the conflict to 27 fatalities and 238 injuries among civilians. Two accidents occurred during clearance operations in this reporting period, resulting in injury to two clearance workers and bringing the total number of casualties due to clearance activities to 57, with 14 fatalities and 43 injured.

47. In 2009, an estimated 12 million square metres of land remains to be cleared. Half this area has had no clearance, while the other half has been surface cleared but requires secondary sub-surface clearance. Owing to lack of funding, only five of the seven clearance organizations operational in 2008 will continue in 2009. This reduction of clearance capacity threatens to disrupt the momentum of clearance operations that has to date resulted in a steady reduction in the civilian casualty rate, saving many lives.

48. Since my last report to the Security Council, there has been no progress in receiving from Israel the technical strike data on the number, type and location of munitions fired in the 2006 conflict. In the absence of those data, the level of contamination continues to remain uncertain. United Nations efforts, both in the

field and at Headquarters, to obtain the technical strike data on cluster munitions have continued. My Special Coordinator was assured by the Israel Defense Forces in meetings in Tel Aviv on 9 February that the technical work on the strike data had been completed and was awaiting political approval for its release to UNIFIL.

F. Delineation of borders

49. In pursuance of the implementation of paragraph 10 of resolution 1701 (2006) and of paragraph 4 of resolution 1680 (2006), calling for the delineation of the border between Lebanon and the Syrian Arab Republic, I have continued to call on the Governments of both countries to reach an agreement on their common border.

50. In my last report on the implementation of resolution 1701 (2006), I welcomed the agreement reached between Lebanon and the Syrian Arab Republic to reactivate the Lebanese-Syrian border committee tasked with delineating their common border. On 23 December 2008, President Sleiman issued a presidential decree naming the Lebanese members of the joint committee. The Government of Lebanon has notified the Government of the Syrian Arab Republic that its delegation to the joint border committee has been formed, so that the committee could meet. To date, the Government has received no reaction to this communication. Syrian authorities, however, explained to my Special Coordinator on 11 February that currently the Syrian Arab Republic lacks the technical capacity to delineate its borders with Lebanon. It has also not nominated its members to the committee.

51. In my last reports on the implementation of resolution 1701 (2006), I indicated my intention to strengthen the diplomatic process aimed at resolving the question of the Shab'a Farms in accordance with paragraph 10 of that resolution. I have carried out consultations on this issue during my visit to the region in January and through my Special Coordinator. I am, however, unable to report any significant progress on this subject. While Syrian officials continue to maintain that the Shab'a Farms area is Lebanese, officials from both the Syrian Arab Republic and Israel maintain that resolution of the question is an issue to be addressed within the context of resolving the question of the Israeli-occupied Syrian Golan. Furthermore, with respect to the geographical definition of the Shab'a Farms, I have still not received any official response to the provisional definition from either Israel or the Syrian Arab Republic despite repeated requests.

III. Security and safety of the United Nations Interim Force in Lebanon

52. The security and safety of UNIFIL personnel remains a priority. During the Gaza crisis, the volatility of the overall security situation in southern Lebanon increased and, on a number of occasions, the Mission received specific threat warnings. UNIFIL and the Lebanese authorities and Lebanese Armed Forces have maintained their cooperation and joint efforts to ensure that security threats to UNIFIL are addressed appropriately. Notwithstanding the obligation of all parties to ensure the safety and security of UNIFIL and the responsibility of the Government of Lebanon for law and order, UNIFIL continues to review regularly its procedures and focuses on mitigating risk to its personnel, assets and installations, while ensuring mandate implementation.

53. Spanish and Lebanese authorities continue their respective investigations into the 24 June 2007 attack against UNIFIL, which killed six peacekeepers serving with the Spanish contingent. Evidence made available to both parties after the last joint meeting in October 2008 is being examined and a detailed report is pending. In the court case against a group of defendants being tried on a series of terrorist charges, including in the 16 July 2007 attack against UNIFIL at Qasmieh Bridge, trial hearings were held on 14 January and 4 February, during which the eight defendants who are in custody were questioned. The remaining six defendants are being tried in absentia. A plea to transfer the case from the military to a civilian court was rejected. In respect of the 8 January 2008 attack against UNIFIL near Saida, Lebanese authorities are holding one suspect in custody while four others are at large. A trial hearing took place on 23 January and the next one is scheduled for 27 March. If the suspects that remain at large cannot be presented at the next meeting, the court will proceed with the case and try them in absentia.

IV. Deployment of the United Nations Interim Force in Lebanon

54. As at 18 February, the total military strength of UNIFIL was 12,559 personnel, with a civilian strength of 331 international and 656 national staff members. UNIFIL is supported by 51 United Nations Truce Supervision Organization military observers of the Observer Group Lebanon. Engineering works for the expansion of the Naqoura headquarters are progressing according to schedule and the first part of the phased move of UNIFIL assets and facilities will start in April 2009. Efforts to secure the improved air surveillance assets that the Force requires are ongoing.

55. Since December, the Maritime Task Force has been reduced from 12 to 9 vessels. It is currently comprised of two frigates, three corvettes, three patrol boats and one support vessel. The reduced number of frigates in particular has meant that the periods at sea for corvettes, which are being substituted for the missing frigates, had to be extended significantly. With the current composition, the Maritime Task Force cannot fully sustain its mandate over an extended period of time. At the end of February, the European Maritime Force, currently under the command of France, will hand over the leadership of the UNIFIL Maritime Task Force to Belgium.

V. Observations

56. Tension along the Blue Line increased substantially as a result of the rocket attacks at the time of the hostilities in Gaza. These attacks and the return fire strained the security and liaison arrangements established under resolution 1701 (2006) and endangered the cessation of hostilities agreement. This period was the most serious challenge for the parties and UNIFIL since the adoption of resolution 1701 (2006). I witnessed the heightened tension at first hand during a tour of the region in January which included visits to Israel, Lebanon and the Syrian Arab Republic. At the same time, I was encouraged by the measures that were taken by all parties to avoid an escalation. I believe that the mechanisms related to the implementation of resolution 1701 (2006) have acted as an effective deterrent and prevented an escalation of the situation in southern Lebanon. Nevertheless, the fact that rockets were fired on 21 February is worrying.

57. The firing of rockets from southern Lebanon towards Israel, which I condemn in all instances, constituted serious violations of resolution 1701 (2006). These hostile activities were carried out from within the area between the Litani River and the Blue Line — an area that should be free of any unauthorized armed personnel, assets and weapons as stipulated in resolution 1701 (2006). It is a cause of serious concern that the 8 January and 14 January rocket attacks were launched from sites close to populated areas, including a school occupied by students at the time, putting innocent civilians at risk. The Lebanese authorities have the primary responsibility to ensure that there are no unauthorized armed personnel, assets or weapons in the area between the Litani River and the Blue Line. UNIFIL supports the Lebanese Armed Forces in this endeavour.

58. The fact that the Israel Defense Forces returned fire with artillery shells into Lebanese territory on 8 and 14 January without providing prior warning to UNIFIL is also a cause of serious concern. This decision endangered innocent civilians, as well as UNIFIL and Lebanese Armed Forces soldiers who were intensively patrolling the area at the time. In the 21 February incident, while the Israel Defense Forces informed UNIFIL of their intention to return fire, it may be recalled that, in accordance with the cessation of hostilities agreement, Israel should immediately notify UNIFIL if it has been fired upon, refraining from responding except where clearly required in immediate self-defence, and allowing, in the first instance, UNIFIL and the Lebanese Armed Forces to deal with such attacks.

59. The Lebanese Armed Forces remain the key partner of UNIFIL in the implementation of resolution 1701 (2006). I continue to urge the Government of Lebanon to ensure that the Lebanese Armed Forces maintains a presence in the south commensurate with the important tasks they must perform there, in line with Lebanon's obligations under resolution 1701 (2006). In this regard, I acknowledge the quick augmentation of Lebanese Armed Forces troops, including specialized units, in the south during the period of heightened tensions in the UNIFIL area of operations, as well as the significant increase in common operational activities with UNIFIL which has been sustained since that time. The support of the international community remains critical for the Lebanese Armed Forces to become an adequately equipped and capable force that will be able to assume effective security responsibility over the current area of UNIFIL operations.

60. I am grateful to all the troop-contributing countries for their continued commitment to UNIFIL and to the implementation of resolution 1701 (2006). The need for this continued commitment and support, including the contribution of troops and assets necessary to enable UNIFIL to efficiently and effectively perform all of its mandated activities on land and at sea, cannot be overstated. I wish to strongly commend the UNIFIL Force Commander and the military and civilian peacekeeping personnel who continue to play a critical role in helping to promote peace and stability in southern Lebanon, as well as the Special Coordinator for Lebanon and the staff of his Office. At the same time, I remain concerned for the safety and security of United Nations personnel and urge all parties to abide by their obligation to ensure their safety and security.

61. In partnership with the Lebanese Armed Forces, and with the commitment and contributions of troop and maritime contributors, UNIFIL has provided a strong deterrent to the resumption of hostilities and has laid a foundation on which a process towards achieving a permanent ceasefire can and must be built. This has

been achieved as a result of the significant deployment of troops and maritime assets, involving substantial financial resources and the strong commitment of many troop-contributing countries. But this cannot be sustained indefinitely and the window of opportunity provided by the UNIFIL deployment should be seized. It is now up to the parties concerned to use this opportunity to move towards a long-term solution as envisaged in resolution 1701 (2006). To that end, I call upon the parties to focus on all outstanding issues.

62. In accordance with its obligations under resolution 1701 (2006), Israel must complete its withdrawal from southern Lebanon. In order to achieve this, the continued occupation by the Israel Defense Forces of the northern part of the village of Ghajar and the adjacent area north of the Blue Line must be ended. Inevitably, the Gaza crisis overshadowed attempts at making progress on the resolution of this issue. However, there were encouraging developments at a meeting held by my Special Coordinator and the UNIFIL Force Commander with Israeli officials on 8 February to discuss the implementation of the UNIFIL proposal for Ghajar. I renew my call on the parties to proceed on the basis of the UNIFIL proposal so as to facilitate the withdrawal of the Israel Defense Forces in accordance with Israel's obligations under resolution 1701 (2006).

63. I am pleased to note that the parties have made progress, in cooperation with UNIFIL, to visibly mark the Blue Line. I encourage Lebanon and Israel to maintain their constructive engagement and to build on the existing momentum and accelerate the visible marking of the Blue Line in order to reduce inadvertent violations and build confidence.

64. I reiterate my call upon Israel to cease immediately all overflights of Lebanese territory, as they are violations of Lebanese sovereignty and resolution 1701 (2006) and undermine the credibility of UNIFIL and the Lebanese Armed Forces.

65. I remain concerned about the Government of Israel's failure to date to provide the technical strike data on the type, quantity and specific coordinates of the sub-munitions fired during the 2006 conflict. I emphasize the importance of that information to speed up the clearance operations and reduce the number of casualties among civilians and mine-clearance experts. I urge the Government of Israel to take prompt action to provide this information with the utmost urgency.

66. The presence of armed groups outside the control of the State poses a continuous threat to Lebanon's sovereignty and stability, and it hampers the full implementation of resolution 1701 (2006).

67. I am encouraged by the fact that a National Dialogue that touches upon the fundamentals of the relation between the State and the armed groups has been set in motion, with four sessions held so far at which agreement was reached on mechanisms to further advance the discussion. I call upon Lebanon's leaders to rise to the expectations created by the National Dialogue and address these core issues facing the country.

68. I am concerned by the continued presence of the Popular Front for the Liberation of Palestine-General Command and Fatah el Intifada military bases in Lebanon and the threat they pose to Lebanon's stability. I call upon the Government of Lebanon to dismantle these military bases, as agreed upon in the National Dialogue, and on the Government of the Syrian Arab Republic, which has influence on these groups, to support fully efforts in this regard. I regret the unwillingness of

the Syrian Arab Republic to engage on the issue as conveyed to my Special Coordinator by senior officials in Damascus on 11 February.

69. Efforts to delineate and demarcate the common border between Lebanon and the Syrian Arab Republic must not be delayed, starting with the activation of the Lebanese-Syrian border committee. The delineation of borders is critical to a positive relationship between the two countries. I urge the Government of the Syrian Arab Republic to cooperate with the Government of Lebanon in taking concrete and practical steps without delay towards achieving this goal, in accordance with resolutions 1701 (2006) and 1680 (2006). The United Nations stands ready to provide assistance to the parties as required.

70. I will continue my diplomatic efforts aimed at resolving the issue of the Shab'a Farms area, in accordance with paragraph 10 of resolution 1701 (2006) and in spite of the lack of willingness of both Israel and the Syrian Arab Republic to resolve the issue at this time.

71. The control of the border between Lebanon and the Syrian Arab Republic and immediate and unconditional respect for the arms embargo on Lebanon are fundamental aspects of resolution 1701 (2006). They must be observed in full and without exception, as these elements are of crucial importance to ensure that the flow of weapons to groups outside the control of the state stops. Regional parties, particularly those that maintain ties with Hizbullah and other groups in Lebanon, are obliged to abide fully by the arms embargo. Any breach of it is a violation of Lebanese sovereignty and threatens the stability of the country and of the region as a whole.

72. Although more needs to be done to improve border management in Lebanon, efforts being made by the Government are bearing fruit. In this respect, I commend the Government for the initial steps it has taken to design a comprehensive border strategy, as called for by the report of the Lebanon Independent Border Assessment Team II. I encourage it to further persevere in these efforts. I am grateful to donor States that have continued to provide much-needed assistance to Lebanon in this area. A Lebanese strategy for border management would provide a useful mechanism to better coordinate this assistance, as highlighted in the report of the Border Assessment Team. I encourage the Government of Lebanon to engage in a dialogue with donors on the substance of the plans being prepared so that lessons can be learned from previous projects, including the Common Border Force, in preparation for the next phase.

73. Without prejudice to the settlement of the Palestinian refugee question in the context of a comprehensive peace agreement, it is imperative that progress be made without delay in taking concrete and practical steps, including new legislation, to improve the conditions in which Palestinian refugees live in Lebanon. I commend the steps already taken by the Government of Lebanon in this regard. Yet, I urge it to persevere in its efforts and do more. Similarly, while I thank donor countries that have responded generously to the appeals issued by the Government of Lebanon and the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the reconstruction of the Nahr el-Bared refugee camp and adjacent affected Lebanese communities, I reiterate my appeal for additional contributions, which are urgently required.

74. It is clear that compliance by the parties with the obligations imposed by the implementation of resolution 1701 (2006) requires strong political determination in both Israel and Lebanon. In this sense, the months to come will carry new challenges, and also opportunities, for both countries. I expect the parties to seize the occasion to make renewed efforts towards the full implementation of resolution 1701 (2006) so as to move from the current state of cessation of hostilities to a permanent ceasefire and a long-term solution between Israel and Lebanon.

75. The conduct of the electoral campaign in Lebanon ahead of the 7 June parliamentary elections will bring added challenges that may test the country's frail domestic stability. While I am encouraged by the climate of relative calm that currently prevails in Lebanon, I call upon all Lebanese leaders to exercise restraint, particularly in the context of the campaign, and ensure that the elections are conducted in a free and fair manner and in an environment free of violence, intimidation and incitement.

76. I am encouraged by the progress made in the bilateral relationship between Lebanon and the Syrian Arab Republic, particularly as concerns the establishment of diplomatic relations between the two countries, and I look forward to the early conclusion of the remaining steps in this regard, as required by Security Council resolutions.

77. It continues to be my profound conviction that we must exert all possible efforts to achieve a just, lasting and comprehensive peace in the Middle East on the basis of the implementation of Security Council resolutions 242 (1967) and 338 (1973), which remains interdependent with the full territorial integrity, sovereignty and political independence of Lebanon.